"A VIRAGO-ERRANT IN ENCHANTED ARMOR?": ANNE ROYALL'S 1829 TRIAL AS A COMMON SCOLD

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In mid-July 1829 the editor of the New York *Observer* offered his readers a piece of gossip from Washington: "Mrs. Royal [*sic*] has been presented to the Grand Jury as a nuisance, and a bill has been found against her." Assuming his readers' acquaintance with Royall, the editor reported that she had come into the court to obtain a list of the Grand Jury. Such was her reputation, the editor suggested, even the respect and honor due to the Grand Jurors' office would be little protection "against the vituperative powers of this giantess of literature. She menaces them with a fearful visitation of her displeasure, and her menaces seldom evaporate into thin air." Undeterred, a few days later the Grand Jury presented an indictment against Anne Royall accusing her of being "a common scold."¹

The employment of such an archaic and largely obsolete charge highlighted the fact that Royall, a novelist, journalist, and travel writer, had been highly controversial in the ways she conducted herself publicly. As an author her subject matter and writing had been equally contentious. Her books were filled with unflattering descriptions of people and places, and her language was frequently unrefined. As one reviewer of her novel, *The Tennessean*, commented: "If it were not ungallant to apply terms of disapprobation to the production of a female, we might add, that the 'Tennessean' contains some phrases of profanity, which in our opinion give no interest to the work and had better have been

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¹ "Domestic News," New York (NY) *Observer*, July 11, 1829.

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omitted." Royall had a reputation for writing books filled with local color and her own forceful opinions: "The works of Madam Royall are we grant an exception, for her style is so highly seasoned, her love of country so predominant, she gives so much of local topics and applies the lash so unsparingly to her enemies, that her books like her manners are resistless." Yet, at least in part, Royall may also have been on trial because of the friends and enemies she had made. She was associated with the new Democratic administration of Andrew Jackson, and John Eaton, Jackson's secretary of war, was to be a witness on her behalf at the trial. She was also a tireless and abusive opponent of evangelical religion. Her trial, as well as her career generally, therefore shed considerable light on the problems and opportunities facing women at this time when they entered the public sphere in order to take active positions on both political and religious matters. The fact that she was generally considered sharp-tongued and critical, together with the nature of the legal accusation made against her, also emphasized the discursive constraints many men of the day attempted to impose on independent-minded women.²

Royall's career, moreover, does not fit easily within existing paradigms of women's history. The emphasis by historians on the nineteenth-century ideology of "separate spheres," in which men command the public sphere of work and politics, and women the private sphere of home and family, gives the impression that Royall was merely eccentric. Her trial as a common scold can, in this light, easily be explained as the result of her unwillingness to conform to prevailing constructions of womanhood. But historians have recently begun to question such rigid constructions of women's sphere and to explore the ways in which women exploited a certain flexibility in their roles. This article seeks to place Anne Royall against the background of the ferment of political culture of the 1820s and suggests that Royall was neither an eccentric nor even a virago, but an active participant in the party politics of the time—in short, a woman politico. Her prosecution as a common scold commands no easy explanation, however. Certainly, it was an attempt to humiliate and control her by labeling her as an unruly woman, but by 1829 Royall was more than a mere scold who disrupted the peace of her neighbors. She was a well-known public figure and a woman who exercised some influence through the national audience she had gained for her writing. Her prosecution therefore needs to be examined in the light of Royall's career up to 1829, her role in the

² Untitled, *Commercial Gazette* (Boston), Mar. 8, 1827; "Posthumous papers, facetious and fanciful, of a person lately about town," *ibid.*, June 26, 1828.

political culture of the 1820s, and the implications that can be drawn from the gendered nature of the charge of common scold.³

Anne Newport was born in Baltimore, Maryland, in 1769, but she grew up in the frontier regions of western Pennsylvania and later moved to the western edges of Virginia. In November 1797, she married Captain William Royall, a veteran of the Revolutionary War, an active Freemason, and her mother's employer. Captain Royall had been largely responsible for Anne Newport's education, and his influence on the formation of her ideas is apparent in her later writings. In 1813 William Royall died. Initially Anne enjoyed the life of a wealthy widow, but her husband's relatives successfully disputed the will, leaving Anne virtually penniless. To support herself she pursued two avenues: on the one hand, seeking a pension from the federal government as the widow of a Revolutionary War veteran; on the other, becoming an author. As she explained in a letter to Thomas Jefferson:

A poor and friendless female asks of you to patronise her works as named in the enclosed prospectus—I am a virginian, the widow of one of your revolutionary worthys, Maj Wm Royall once of Augusta County in your State & no doubt known to you—since his death I have been striped [*sic*] of everything by his relatives even to the last change of Rayment—a wanderer in the streets of this city without house or home or other comfort I have no resource, no prospect of relief but in the sale of these writing.⁴

Although writing was still an unusual career for women in the 1820s, it was becoming increasingly respectable. Writing allowed a single woman or widow to support herself financially at home without entering the public sphere of work. Most scholars have assumed that women writers in this period concentrated on writing novels, for which there was a growing market, and that most aimed at a female audience. Nina Baym, however, has suggested that female authors in this period produced a much greater variety of writing than has previously been recognized. Women writers did not confine themselves only to celebrating women's domestic sphere, nor did

³ Janet Coryell defines women politicians as women who "embraced a role that allowed them to think and act first and foremost as part of the body politic rather than as part of a community of women." Janet L. Coryell, "Superseding Gender: The Role of the Woman Politico in Antebellum Partisan Politics," in Alison M. Parker and Stephanie Cole, eds., *Women and the Unstable State in Nineteenth-Century America* (College Station, TX, 2000), 85.

⁴ Anne Royall to Thomas Jefferson, June 20, 1824, Thomas Jefferson Papers (Library of Congress, Washington, DC). Biographical details taken from Sarah Harvey Porter, "The Life and Times of Anne Royall, 1769-1854," *Records of the Columbia Historical Society, Washington, DC*, 10 (1907), 1-10; and Bessie Rowlands James, *Anne Royall's U. S. A.* (New Brunswick, NJ, 1972), 10-89.

they aim only at a female audience. Rather female authors wrote in a variety of genres, for a variety of audiences, serving diverse purposes. They asserted their right to know and comment on the world outside the home and to publish their opinions and knowledge for a wide audience. Thus, women authors could be found writing both fiction and non-fiction, in all forms of literature.⁵

Royall's first attempt at writing for publication was a novel, *The Tennessean*, but the rest of her works were travel books—a genre still comparatively new in the United States of the 1820s and not usually associated with American women writers at this time. Nor did she conform to what might be described as prevalent standards of middle-class feminine decorum, which insisted on piety, purity, submissiveness, and above all, domesticity. Her writing was forthright, she assumed the right to comment on all aspects of American life she encountered on her travels, and she considered herself a shaper of public opinion and a participant in the public sphere. Her first book was published anonymously under the pseudonym "A Traveller," but she took no pains to hide her identity as the author. Indeed, she was a self-publicist who promoted herself as much as she did her books, and the image she portrayed of herself was hardly that of a submissive woman.⁶

Royall's books ostensibly described the places she visited on her travels. Like other travel writing, her works contained descriptions of the scenery, towns, and villages she visited, as well as advice to other travelers. They tell of the mishaps she encountered in stagecoaches, of the problems with drunken stagedrivers and poor roads, and of the hospitality (or otherwise) of innkeepers. She traveled alone, at a time when few respectable women moved about the country without a male protector, but she expected to command respect at all times. She suspected innkeepers and stagecoach drivers of attempting to defraud her, and warned her readers of their tricks. She commented too on the general character of the people in each locality, and she was particularly concerned with the demeanor of the women. She valued especially those women who were charitable and treated her with kindness; she disparaged those who, though

⁵ Susan Coultrap-McQuin, *Doing Literary Business: American Women Writers in the Nineteenth Century* (Chapel Hill, 1990); Patricia Okker, *Our Sister Editors: Sarah J. Hale and the Tradition of Nineteenth-Century Women Editors* (Athens, GA, 1995); Charles Sellers, *The Market Revolution: Jacksonian America, 1815-1846* (New York, 1991), 370-75; Nina Baym, *American Women Writers and the Work of History, 1790-1860* (New Brunswick, 1995), 1-4.

⁶ Barbara Welter, "The Cult of True Womanhood, 1820-1860," *American Quarterly*, 18 (Summer 1966), 150-74; Baym, *American Women Writers*, 11; Royall to William Cary, Sept. 16, 1826, Cary-Mathews Family Correspondence, 1825-30, Feamster Family Papers (Library of Congress, Washington, DC).

making a great show of attending church and being involved in missionary societies, did not display what she considered to be true Christian behavior. She also made it her purpose to investigate the number of churches, charitable institutions, and public buildings in each town of any size and to note the places of interest in each town or city.⁷

Royall's books appealed to her contemporaries, however, in large part because of the "pen portraits" of people she met and her summary descriptions of the towns. Many people were amused by her, but some were clearly exasperated both by her behavior and the popularity she gained through her biting comments on public figures. Others found her behavior undignified. "She was a loud talker—not delicate—and appeared to me and others somewhat deranged," noted one man; others found her overbearing and even rude. The comments in John Quincy Adams's diary make telling observations about his true opinion—although publicly he was polite and helpful toward her, and she wrote favorably of him:

Mrs. Royall came from Boston in the stage with my son Charles. She is going to Plymouth, and travelling about the country to make another book. She continues to make herself noxious to many persons; tolerated by some and feared by others, by her deportment and her books; treating all with a familiarity which often passes for impudence, insulting all those who treat her with incivility, and then lampooning them in her books.⁸

Royall's pen portraits were often stinging, and critics suggested that the tenor of these sketches depended on how the individuals concerned had received Royall and whether or not they bought her books. This aspect of her works became so infamous that, it was said, some public figures hid when a visit from Royall was expected. One editor noted: "She cleared one day all the cabinet of Washington out of the city. Would she not be a useful auxiliary to his majesty's ministry?" If she was treated with anything other than the respect

⁷ Such comments are scattered throughout her books; see for example, Anne Royall, *The Black Book or A Continuation of Travels in the United States: In Two Volumes* (3 vols., Washington, DC, 1828), 1:41; Anne Royall, *Mrs. Royall's Pennsylvania* (2 vols., Washington, DC, 1829), 1:99. See also, Patricia Cline Cohen, "Women at Large: Travel in Antebellum America," *History Today*, 44 (Dec. 1994), 44-50; Royall, *Black Book*, 1:180; Royall, *Black Book*, 3:202.

⁸ Entry for June 13, 1826, "The Diary of Isaiah Thomas 1805-1828. In Two Volumes. Volume II," edited with an Introduction and Notes by Benjamin Thomas Hill, *Transactions and Collections of the American Antiquarian Society*, X (1909), 237; Entry for Aug. 9, 1827, in Charles Francis Adams, ed., *Memoirs of John Quincy Adams, comprising portions of his diary from 1795 to 1848* (12 vols., Philadelphia, 1874-77), 7:321.

she felt was her due, Royall denounced the offending parties without regard to social rank or the esteem in which they were held generally. Only Freemasons escaped her censure, since she had been taught by her husband to respect them above all other men. As her fame (or notoriety) spread, she gained many enemies. Some were individuals she had lampooned, but the largest group she provoked were those whom she variously called "missionaries," "Presbyterians," "priests," and "blackcoats." Her attacks on these evangelical ministers would become increasingly virulent.⁹

Royall's prejudices against the agents of the evangelical revival are apparent from her earliest writings, though the origins of this animosity are unclear. As she traveled around the United States visiting both cities and small towns, she became both more confident and more caustic in her remarks about "priests." "Having sent a few of my books to Philadelphia, Baltimore and Washington," she commented, "I turned my course thither, with a full determination to keep my eye on priests and missionaries, determined to strip the mask from hypocrisy, expose evil, patronize virtue, and side with no sect or party."¹⁰

Royall suspected that priests were conspiring to undermine the religious freedom of the Republic and to establish a theocracy. "No, Mr. Priest," she warned, "you carry the bag in one hand, and a dagger in the other; we know you, sir, you smell too strong of the Hartford Convention—you smell too strong of sulphur. Your whole sect have always been alike dangerous to thrones, liberty and religion." She identified this conspiracy first in the attempts by missionary and Sunday School societies to preach for the keeping of the Sabbath and then to lobby for laws to protect the Christian Sabbath—especially laws to stop postal service on Sunday.¹¹ Accusing the missionaries of hypocrisy, greed, and an attempt to undermine the state she poked fun at their appearance and their concentration on converting women rather than men: "They are

⁹ "Correspondence," *National Advocate* (New York), Jan. 24, 1827; Untitled, *Democratic Press* (Philadelphia), May 23, 1827. See for instance her comment on Noah Webster, Anne Royall, *Sketches of History, Life and Manners in the United States. By a Traveller* (New Haven, 1826), 388.

¹⁰ Royall, *Black Book*, 1:93; Letter XLI, April 30, 1821, in Lucille Griffith, ed., *Anne Newport Royall, Letters from Alabama, 1817-1822, with Introduction and Notes* (Tuscaloosa, Alabama, 1969), 208.

¹¹ Royall, *Black Book*, 1:245; *ibid.*, 1:163-73; Richard R. John, "Taking Sabbatarianism Seriously: The Postal System, the Sabbath, and the Transformation of American Political Culture," *Journal of the Early Republic*, 10 (Winter 1990), 517-67; James R. Rohrer, "Sunday Mails and the Church-State Theme in Jacksonian America," *ibid.*, 7 (Spring 1987), 53-74; Bertram Wyatt-Brown, "Prelude to Abolitionism: Sabbatarian Politics and the Rise of the Second Party System," *Journal of American History*, 58 (Sept. 1971), 316-41.

uniformly dressed in black, an emblem of their business. Their visage is long, their complexion a dirty wan; they are generally tall, gaunt, and supple! distant and vulgar in their manners, the gloom of their countenance is never interrupted with a smile. They usually have a train of women after them with the same lowering looks."¹²

Royall's criticisms were by no means unique. Many men shared her anxieties about the aims of the evangelical movement and expressed concern about the means by which evangelists sought to achieve their goals. The evangelical movement deliberately sought to permeate all aspects of American society. Its leaders aimed to create a Christian society and set about doing so in a highly organized manner. The evangelical movement was methodical, vocal, and nationwide at a time when there were few other national institutions and the federal government was comparatively weak. The leaders of the evangelical movement self-consciously sought to democratize Christianity through revivals and voluntary societies. Many of their efforts aimed at augmenting clerical influence by expanding church membership as well as support for training schools for missionaries. The leaders of the evangelical movement also sought to arrest the increasing secularization of American life. In their haste to promote a Christian nation, evangelicals pushed temperance, education, and various benevolent reforms, as well as Sabbath observance. In the eyes of critics like Royall, however, these initiatives were possibly the most pernicious aspect of the grandiose schemes of the "blackcoats," for they seemed to undermine fundamental American liberties.¹³

Opposition to the evangelicals' objectives came mostly from outside the movement. Despite efforts to keep itself free from sectarian bias in order to attract as wide a constituency as possible, the evangelical reform movement appealed mostly to Presbyterians and Congregationalists. Its schemes were viewed by other sects, such as the Methodists and Baptists, as tyrannical and preoccupied with predestinarian theology. But, as Daniel Walker Howe has argued, it is not possible to define opposition to the revival in purely denominational, or even religious, terms. A vast array of groups opposed the purposes of the evangelical movement, and often all they had in common was a determination to preserve their independence against the onslaught of the revivalists. Many politicians also opposed the evangelists, resisting their

¹² Royall, *Black Book*, 1:20.

¹³ Daniel Walker Howe, "The Evangelical Movement and Political Culture in the North during the Second Party System," *Journal of American History*, 77 (Mar. 1991), 1216-39; Richard J. Carwardine, *Evangelicals and Politics in Antebellum America*, (1993, rep., Knoxville, 1997), 97-132; John R. Bodo, *The Protestant Clergy and Public Issues, 1812-1848* (Princeton, NJ, 1954), 9-18.

"ecclesiasticism" and their attempts to create an evangelical establishment.¹⁴

It was the attempts by the evangelical movement to enforce Sabbath observance and to reform society that particularly divided Americans and brought the religious movement into politics. To many evangelicals the violation of the Sabbath constituted a serious offense, and they began to press their cause by political means as well as by preaching and publications emphasizing the duty of the civil authorities to enforce existing laws protecting Sabbath observance. In 1828, they launched a massive attack on the federal statute that mandated postal service on Sundays. The establishment of a General Union for Promoting the Observance of the Christian Sabbath in 1828 prompted the opposition to organize and denounce this attack on the separation of church and state. This opposition found its political home among the Jacksonian Democrats, who developed a broad policy of protecting people from religious tyranny and resisting any suggestion of an evangelical "Christian Party in Politics." Thus, by the late 1820s, Richard Carwardine has suggested, the sabbatarianism of the Presbyterians, Congregationalists, and other radical revivalists had begun to define the divisions of an emergent second political party system. As Howe argues: "evangelical religion interacted with economic development to polarize the population, creating the basis for two broad alliances." These two broad alliances saw political form in the Democratic and Whig parties, but the divisive political culture from which these parties emerged permeated all aspects of American life.¹⁵

Anne Royall's attacks on the "blackcoats" and Presbyterians contributed to a wider assault on the forces of the evangelical revival and particularly their entry into the political arena. Like many male opponents of the evangelical movement, she saw their machinations as attempts to undermine American liberties and overthrow the division between church and state. A long exposé in *The Black Book*, for example, sought to alert the public to the vast resources evangelicals were accumulating for their perfidious purposes and the danger to liberty and humanity they represented. She was, in this respect, arguing along many of the same lines as the Jacksonians did in the elections of 1828, and, though she denied any partisanship, a number of contemporaries believed that Royall was working for the Jacksonian cause.¹⁶

¹⁴ Nathan O. Hatch, *The Democratization of American Christianity* (New Haven, 1989), 170-75; Howe, "The Evangelical Movement and Political Culture," 1226-28; Bodo, *The Protestant Clergy*, 23-26; Carwardine, *Evangelicals and Politics*, 100-11.

¹⁵ Howe, "The Evangelical Movement and Political Culture," 1216; Bodo, *The Protestant Clergy*, 35-41; Carwardine, *Evangelicals and Politics*, 99-100.

¹⁶ Royall, *Black Book*, 1:163-247; Royall, *Mrs. Royall's Pennsylvania*, 1:270.

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Although Royall was not alone in criticizing the agents and purposes of the evangelical revival, her bitter attacks on clergymen and the fact that she reached a considerable audience through her books, meant that her comments did not pass without notice. In many areas where the missionaries had been particularly active she was unable to sell her books, and her reputation as an enemy of religion went before her. Moreover, the books were only part of her assault on these "missionaries," for she also was abusing them verbally and writing to newspapers to denounce them. Whenever she came across their tracts she would make a show of throwing them out the nearest window while insulting the authors of the pamphlets in front of bemused bystanders. Despite such aggressive behavior, Royall was offended when the "missionaries," or any others she had attacked, retaliated—she expected that her gender, her age, and even her reputation as an author would protect her from indignity. Admitting no offense, she claimed people shunned her because her name was besmirched by the missionaries:

I guessed in a moment who had defamed me, and told him it could be no other than the missionaries—he did not either acknowledge or deny it, but expressed much pleasure at our interview. Is it not astonishing that those abominable defamers of mankind should be so countenanced as they are, to the complete prostration of common sense, and that their slanders does not raise the indignation of the people.¹⁷

The Masons proved an important and early source of support due to Royall's position as a Masonic widow, as well as her battle against the "blackcoats." Editors of newspapers, while amused by her idiosyncrasies, displayed a certain respect for her on their printed pages. Politicians often found it expedient to offer their public support to her, even if their private feelings were less generous. Women as well as men bought her books and offered their encouragement. Much of her support came from those who were equally suspicious of the evangelical movement.¹⁸

¹⁷ Royall, *Black Book*, 2:232, 2:11, 1:113, 115; Untitled, *United States Gazette* (Washington, DC), Feb. 17, 1827; "Mrs. Royall," *Morning Courier* (New York), June 4, 1828; Royall, *Black Book*, 1:26. John Quincy Adams also noted this assumption on Royall's part in his diary. Entry for Aug. 9, 1827, in Adams, ed., *Memoirs of John Quincy Adams*, 7:321.

¹⁸ On the Freemasons' obligation to help the widows of their deceased members and Royall's support of them against the forces of Anti-Masonry, see Paul Goodman, *Towards a Christian Republic: Antimasonry and the Great Transition in New England, 1826-1836* (New York, 1988); and Stephen C. Bullock, *Revolutionary Brotherhood: Free-Masonry and the Transformation of the American Social Order, 1730-1840* (Chapel Hill, 1996). John Quincy Adams's private opinion of Royall was clearly quite

On one occasion Royall's actions resulted in physical assault. On a visit to Burlington, Vermont, in 1827 she was forcibly ejected from a house by a man she called a "missionary" who refused to buy one of her books. She was outraged by the attack: "He must have been 'ribbed with iron' and his heart barred with 'bolts of brass.'" Thus to attack a female, an aged female, who was procuring an honorable subsistence; Now this monster was a missionary, that is a black Presbyterian, a contributor and supporter of the whole missionary scheme." The incident left her with a dislocated ankle and other injuries that rendered her unable to walk for at least six months. The event left her shaken but did not moderate her attacks on the missionaries. Her account of the incident appeared in biting terms in her next book and she continued to excoriate the "blackcoats" at every opportunity. Thus, when in the summer of 1829 charges were brought against her by members of an evangelical congregation in Washington, she was quick to associate this new attack with a conspiracy against her by the Presbyterians.¹⁹

On July 6, 1829, the Grand Jury entered the United States Circuit Court in Washington with a presentment against Anne Royall, who was now living in a house on Capitol Hill. This came as a result of a complaint against her by a number of "respectable" citizens who claimed she had applied "opprobrious and indecent language to respectable females and Gentlemen when on the publick street, whilst going to publick worship." Moreover, she had uttered "other malicious and false sayings such as Thief, Villain, Hypocrite, etc. etc. to the Great annoyance of Females; and citizens of the Capitol Hill and to the disturbance of Said Good people in the discharge of their religious duties."²⁰ She had also shouted insults at the Sunday School teachers as they passed her windows on the way to church, frightening some of them to the extent, as one newspaper noted, that "some of the young ladies were actually afraid to pass. Nor could they come within hearing, without having themselves outraged by language, to which no delicate female could listen."²¹

different from that he displayed either to her or in public. Entry for Aug. 9, 1827, in Adams, ed., *Memoirs of John Quincy Adams*, 7:321; and Royall, *Sketches*, 166. It is impossible, however, to know what motivated people in buying Royall's books.

¹⁹ Royall, *Black Book*, 3:34-35; Anne Royall to Capt. Hall (usually called Yankee Hall), May 3, 1828, Clifton Waller Barrett Collection (Alderman Library, University of Virginia, Charlottesville). Royall was by this time almost sixty years old. Royall, *Mrs. Royall's Pennsylvania*, 2:Appendix, 1-24.

²⁰ "Letter from Washington, No. LVIII, Washington, July 6, 1829," *United States Gazette*, July 10, 1829; Statement by Andrew Way, Foreman, Box 158, Records of District Courts of the United States, RG 21, Circuit Court District of Columbia, Case Papers 1802-63, May Term 1829, File *US v. Royall* (National Archives, Washington, DC) (hereafter File *US v. Royall*).

²¹ "Mrs. Royall's Case," *Richmond Whig*, July 31, 1829.

These charges resulted from an immediate grievance. The members of the Engine House congregation who brought the charges found insufferable Royall's snide comments and verbal abuse, especially as these insults were directed at the women of the congregation. The contrast between the delicate sensibilities of the young women attending church on Capitol Hill, who were the victims of Royall's tongue, and Royall's own unfeminine behavior was highlighted both by those who brought the charges and by a number of commentators. Ostensibly this prosecution concerned not the nature of Royall's opinions but her unruly behavior in the public arena of Capitol Hill. Royall was being challenged as an unruly woman—one who did not conform to the understanding this congregation had of proper female behavior.²²

Royall's conduct on Capitol Hill was not the only aspect of her activities under scrutiny, however. By summer 1829, she had earned a national reputation as a writer of forceful opinions about the evangelical threat. In bringing charges against her, the "respectable" citizens appeared to be attempting to curb her assaults on the agents of the evangelical revival—and Royall saw it exactly in those terms. Her own account of the events leading up to her trial accused the prosecution of a wider conspiracy to silence her because she exposed the missionaries' designs to overthrow the republican government and they feared her influence in the new Congress. She cited incidents of boys throwing stones at her house and doubtful characters calling at her lodgings to besmirch her character. She claimed that members of the congregation then attempted to "convert" her by praying and singing hymns under her windows at night. A letter written by her to the Clerk of the Court and sworn to at the time of the trial suggests that unruly behavior was not all on her part: "This old one C is always around my house & annoying me with all sorts of noise & so far did he go evening before last that he came to my own door & not in the street & threatened my life & I am about to have measures taken to bind him to his good behavior & therefore appeal to you what steps to take. I have no peace of my life from the whole gang." Whatever the provocation, however, Royall's reputation was such that commentators on the trial were more concerned with her behavior than that of her opponents.²³

Few of the newspapers commenting on the trial expressed much surprise that complaint had been made against Royall. But they were

²² Statement by Andrew Way, Foreman, File *US v. Royall*; Mary P. Ryan, *Women in Public: Between Banners and Ballots, 1825-1880* (Baltimore, 1990), 68-76.

²³ Anne Royall to Mr. Sloan [Swann?], undated; File *US v. Royall* (On the back of this is a note signed by the Clerk of the Court, dated July 31, 1829, noting that Ann Royal [sic] had sworn to foregoing note.); Royall, *Mrs. Royall's Pennsylvania*, 2:Appendix, 1-8.

surprised—and not a little amused—that a jury, having had the charges presented to them, found sufficient courage to bring a court case against her. As one editor noted with heavy irony:

It required no ordinary share of animal, as well as moral courage, in any three and twenty men to make so daring an attack upon the rights of this belligerent authoress. She might have indulged herself in any reasonable latitude, in her invasions of the public peace with impunity, for nothing less than an extraordinary course of outrages upon the feelings and usages of society would have screwed up the courage of any jury to the sticking point of a presentment.

Even the most sympathetic of editors believed that she had brought prosecution upon herself: "Thus it is with great geniuses in all ages—Galileo, the starry Galileo, was imprisoned for his wisdom, Tarso was the tenant of a cell, and Columbus sighed in a dungeon. Why then should Anne Royall hope to escape the general doom of genius?—It is inherent in her destiny, and a concomitant of her greatness."²⁴

Though many editors were entertained by the prospect of a trial in which Royall took center stage, it was unclear with what she could be charged. What was needed was an indictment that would compel her to give security for good behavior, but as one newspaper noted, the United States Attorney seemed much in "perplexity to frame an indictment against her."²⁵ The Grand Jury came up with an indictment the following week, charging her with three offenses committed on June 1, 1829: first, being "an evil disposed person, and a common slanderer and disturber of the peace and happiness of her quiet and honest neighbours"; second, being "a common scold and disturber of the peace of her honest and quiet neighbours"; and finally, being "a common brawler and sower of discord among her honest and quiet neighbours." Royall's counsel entered a plea of not guilty to the second count but demurred on the other two. After some deliberation, Judge Cranch sustained the demurrers on the grounds that the charges were not specific enough to make them indictable offences. Royall therefore stood trial only on the second count, charged with being a common scold.²⁶

²⁴ "Letter from Washington, No. LVIII, Washington, July 6, 1829," *United States Gazette*, July 10, 1829; "Mrs. Royall in Trouble," *Morning Courier*, June 18, 1829.

²⁵ "Letter from Washington, No. LVIII, Washington, July 6, 1829," *United States Gazette*, July 10, 1829.

²⁶ Indictment of the Grand Jury, File *U.S. v. Royall*. "Mrs. Royall. Washington D.C., July 18," *The National Gazette and Literary Register* (Philadelphia), July 20, 1829; "Mrs. Royall," *Daily National Journal* (Washington DC), July 18, 1829; William Cranch, *Reports of Cases Civil and Criminal in the United States Circuit Court*

The charge of "common scold" had a long history in English Common Law but had been little used in the United States after independence. A scold was defined as "a troublesome and angry woman who, by her brawling and wrangling among her neighbours, doth break the public peace, and beget, cherish and increase public discord." The ecclesiastical and manor courts in England maintained jurisdiction over scolding women before the mid-sixteenth century. The punishment was penance or a small fine, but the authorities had not been much concerned by such women. By the later sixteenth and early seventeenth centuries, however, the problem of disorderly women became an increasing source of worry, as rapid social and economic change led to fears of an impending breakdown in social order. The preoccupation with female offenses against public order and patriarchal structures reflected these fears and more specific concerns about gender relations in this changing world. Although occasionally men were presented for scolding both in England and the English colonies in North America, the charge of common scold was considered a female offense. Increasingly, the punishment for it, and one reserved exclusively for women, was the ducking stool.²⁷

After independence, this offense remained on the statute books of a number of states, including Maryland from which the District of Columbia drew its laws; but prosecutions were rare. There had been cases in Massachusetts, New York, and Pennsylvania—indeed the attorney general of Philadelphia County had found records of cases in the years immediately prior to the revision of the Pennsylvania Penal Code in 1790, in which the plaintiff had been convicted and sentenced to a ducking. That sentence had been carried out; a more recent Pennsylvania Supreme Court case in 1825, however, had overturned the conviction of Nancy James as a common scold because the sentence of ducking was deemed to be a cruel and

of the District of Columbia: from 1801 to 1841 (6 vols., New York, 1852-53), 3:618-20.

²⁷ Keith Thomas, *Religion and the Decline of Magic: Studies in Popular Belief in Sixteenth and Seventeenth Century England* (London, UK, 1971), 528-29; St. George Tucker, *Blackstone's Commentaries: with notes of reference to the Constitution and laws, of the Federal Government of the United States and the Commonwealth of Virginia* (5 vols., Philadelphia, 1803), 5:168; Cranch, *Reports of Cases Civil and Criminal*, 3:620; Sellers, *The Market Revolution*, 50-55; Case of *James v. Commonwealth*, Philadelphia, Jan. 3, 1825, in Thomas Sergeant and William Rawle, Jun., *Reports of Cases Adjudged in the Supreme Court of Pennsylvania* (17 vols., Philadelphia, 1872-75), 12:225; "Remarks on Scolding," *United States Gazette* (Philadelphia), Jan. 20, 1825; D. E. Underdown, "The Taming of the Scold: The Enforcement of Patriarchal Authority in Early Modern England," in *Order and Disorder in Early Modern England*, ed. Anthony Fletcher and John Stevenson (Cambridge, UK, 1985), 119-20; Kathleen M. Brown, *Good Wives, Nasty Wenches and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill, 1996), 29.

unusual punishment and not permissible under the Pennsylvania Constitution. Nonetheless, what the Philadelphia case and other cases in Massachusetts and New York established was that scolding was still an indictable offense in some states. The lawyers advising the Grand Jury who presented the indictments against Anne Royall might have been aware of these precedents, but significantly they were not mentioned in any of the reported legal arguments at her trial.²⁸

None of the earlier common scold trials attracted the kind of press attention engendered by Royall's case. These earlier trials suggest that the charge had much more to do with a woman's general reputation as a scold than with any particular incident; and as a result, little defense could be mounted. The general expectation was that all women scolded, and those who were charged with being common scolds were out of the ordinary. For instance, Elizabeth Bowlan, who was convicted and fined in Boston in August 1813, was brought to court by her neighbors. She was of a low social status and the incident in 1813 was not her first offense. Nancy James of Philadelphia, on the other hand, was an African-American woman, though who brought the charges is unclear.²⁹

Despite these earlier cases, the indictment of common scold was sufficiently unusual for Royall to claim that hers "was the first of the sort ever tried in the United States, and excited much interest." Her contempt for the charges was evident:

The indictment contained three charges, viz:—"A public nuisance, a common brawler and a common scold." Every legal man will be astonished, that the Grand Jury of our metropolis, should be so ignorant as not to know these charges could not be brought before them. A drunkard, or an abandoned woman infesting the streets can be committed to the workhouse as a common nuisance; but no such thing is cognizable by a Grand Jury; and had I been one of

²⁸ Brown, *Good Wives, Nasty Wenches*, 29-32; Carol F. Karlsen, *The Devil in the Shape of a Woman: Witchcraft in Colonial New England* (New York, 1987); Jane Kamensky, "Talk Like a Man: Speech, Power, and Masculinity in Early New England," *Gender and History*, 8 (Apr. 1996), 22-47; *Case of James v. Commonwealth*, Philadelphia, Jan. 3, 1825, in Sergeant and Rawle, *Reports of Cases Adjudged in the Supreme Court of Pennsylvania*, 12:220-36; Cranch, *Reports of Cases Civil and Criminal*, 3:620-28.

²⁹ "Common Scold," *Constitutional Whig* (Richmond), May 11, 1829. Similar remarks were made about Royall. "Trial of a Scold: The Trial of Mrs. Elizabeth Bowlan," printed by Nathaniel Coverly, Jun., Boston, 1813 (Early American Imprints, 1801-19); "For the United States Gazette," *United States Gazette* (Philadelphia), Jan. 13, 1825. There was also a case in New York in 1819, *Abbott's New York Digest Consolidated Edition*, compiled by the Lawyer's Co-Operative Publishing Company and West Publishing Company (1929), 7:881; and *United States Gazette* (Philadelphia), Nov. 1, 1824, refers to a case in Boston.

those characters, I should have been safe enough, as they are too popular on Capitol Hill or any other hill in the city.³⁰

Historian Estelle Freedman has observed that in the early nineteenth century women were rarely seen in the courts and then most frequently for crimes against public order (drunkenness, idle and disorderly conduct, and vagrancy). Traditionally the family and church had corrected these transgressions, so only on rare occasions were the perpetrators brought before the courts; but as American society underwent rapid economic and social change in the early nineteenth century, the courts intervened more often. In the more anonymous urban world, where crime rates seemed to be increasing, disruptive behavior of any kind threatened to undermine the social order. Women even more than men were expected to uphold the social order. Consequently, the ratio of female to male convictions was much closer for public order offenses than for other crimes, such as those against person or property. A stricter code of female morality by the 1820s also meant that certain crimes (those of sexual misconduct) were defined as exclusively female. Thus, a range of behavior from lewd and lascivious carriage, stubbornness and disorderly conduct, to adultery and fornication brought women into the courts. Convictions for public order offenses and sexual misconduct sought to ensure that women upheld the social order, for as Victoria Bynum has argued: "Unruly women threatened to disrupt the underlying social structure, which depended upon the services and cooperation of all women."³¹

New categories of exclusively female offenses were not, however, appropriate to the complaints against Royall. Nor was the more general charge of common nuisance that was quashed without ever coming to trial. Thus the Grand Jury sought and found a much older, but still specifically female charge, that of the common scold. The emphasis in Royall's trial was on her behavior as a disorderly woman who violently abused "respectable" women. Because the common scold charge allowed the court to investigate a woman's reputation and not just a specific incident, Royall's general behavior was open to investigation. It cannot have escaped the notice of the jury, any more than the newspaper editors, that by 1829 Royall was a notorious figure. Few observers believed that she was on trial *only*

³⁰ Royall, *Mrs. Royall's Pennsylvania*, 2:Appendix, 11; Cranch, *Reports of Cases Civil and Criminal*, 3:618-20; Royall, *Mrs. Royall's Pennsylvania*, 2:Appendix, 9.

³¹ Victoria Bynum, *Unruly Women: The Politics of Social and Sexual Control in the Old South* (Chapel Hill, 1992), 14; Estelle B. Freedman, *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930* (Ann Arbor, 1981), 11-14.

for her offenses against the members of the Engine House congregation.³²

After a number of delays Royall's case finally came to trial. It excited considerable interest from the press and not a little amusement among those in court. The lawyers were uncertain at first as to what constituted a "common scold." "The opinion of one of the authorities quoted is, that the person so designated must be *always* scolding. If so, we need look no further for the perpetual motion, after a single conviction grounded on that authority. More rational lawyers, however, seem to think that where the scolding is so loud and so frequent as to be a common nuisance, it is sufficient to constitute a common scold." There was the question too, of whether Royall's behavior really merited the charge. Some argued that she was not always loud nor always scolding, as this editor went on to say: "according to some of the witnesses, Mrs. Royall, although frequent in her verbal exhilarations, was not *always* loud, but on the contrary, has inflicted some of her linguadental severities in a very soft tone, and with a very smiling countenance, coming up, in fact, to the poet's description, and show that she can smile, and smile, and murder while she smiles."³³

Many of the newspaper accounts of Royall's trial clearly reflected their editors' existing prejudices for or against the defendant. Even those editors who relied on accounts copied from other newspapers often added their own comments. Some saw the trial as an amusing interlude when there was little else to report: "For want of something more worthy of your sprightly and various columns, I send you some account of a trial which has excited some interest, and occasioned some gratification among the lovers of the ludicrous." While to others it was a source of interest because Royall was now being censured for all past attacks on those who did not agree with her. But for some editors there were deeper implications to Royall's trial because of her associations with the recently inaugurated Jackson administration.³⁴

The prosecution called as witnesses several members of the First Presbyterian Church, popularly known as the Engine House congregation, many of whom had been office-holders under the Adams administration. The incoming Jackson administration had just replaced them with their own appointees, and Royall believed that those remaining should be replaced also. One newspaper editor even suggested that the prosecution was revenge on Royall for the defeat

³² Case 118, Indictment of the Grand Jury, File *US v. Royall*; "Mrs. Royall's Case," *Richmond Whig*, July 31, 1829.

³³ "Mrs. Royall," *Daily National Journal*, July 20, 1829; "Mrs. Royall," *Daily Commercial Gazette* (Boston), July 29, 1829.

³⁴ "Mrs. Royall's Case," *Richmond Whig*, July 31, 1829.

of the Adams government: "Mrs. Royall, we more than suspected, was a Jackson *man*, and since the overwhelming defeat that our party sustained in the last presidential contest, there can no longer be any doubt either of her sentiments or their effects upon the citizens; and prettily the Adams men and women at Washington are revenging themselves of her." Royall herself believed that her persecutors wanted to be rid of her because of her likely influence in the new Congress, shortly to be seated, as well as her views on the corruption of the "Presbyterians." Royall called as her witnesses Secretary of War John Eaton and a number of others who were officers of Congress. There were reports she had called Andrew Jackson himself as a character witness, but he had declined to appear. Royall always maintained that she was not partisan during the presidential contest, but some newspaper editors certainly believed her association with the Jackson administration was a close one, and she hinted as much herself. Opposition editors used the connection to link Royall with the supposed immorality of Andrew Jackson and the riotous behavior of his supporters.³⁵

The trial itself provided plenty of cause to comment and suggests a number of insights into the nature of gender relations in the late 1820s as well as women's role in the public arena. On one level, Royall was prosecuted simply because of her unruly behavior in public and her attacks on "respectable" women. Testimony reported in the papers suggests that she had acted in a manner designed to provoke the members of the Engine House congregation. Sitting at the window of her lodgings on Capitol Hill, she shouted insults and abuse at members of this congregation as they made their way to church services or to teach in the Sunday School. While some accounts continued to see the amusing aspects of the incidents described by the witnesses, others saw her slanders as outrageous and offensive. The contrast was drawn between the delicate feelings and benevolent character of the daughters, wives, and mothers of the complainants who suffered a torrent of verbal abuse and the vulgarity of Royall's attacks. One account observed that all smiles "vanished on the examination of the first witness for the prosecution," who

³⁵ Untitled, *United States Gazette* (Philadelphia), July 24, 1829; Royall, *Mrs. Royall's Pennsylvania*, 2:Appendix, 8, 10-16, 19, 21; Untitled, *United States Telegraph* (Washington, DC), June 12, 1829; "Mrs. Royall's Case," *Richmond Whig*, July 31, 1829; "Mrs. Royall," *New England Galaxy* (Boston), July 31, 1829. Reports of the trial and witnesses appear in New York (NY) *Commercial Advertiser*, July 22, 1829, *Daily National Intelligencer* (Washington, DC), July 20, 1829, among others. Untitled, *Richmond Whig*, July 31, 1829, links Mrs. Royall with the Jackson administration. On the opposition charges of immorality against Andrew Jackson, see Norma Basch, "Marriage, Morals, and Politics in the Election of 1828," *Journal of American History*, 80 (Dec. 1993), 890-918.

testified to "outrages" so "gross and abominable" as to put all humor "to flight." The witness continued:

None of the family had done aught to provoke the virago; yet she had not ceased to pour out on every one of them torrents of the most coarse, vulgar and obscene language, until they could not appear even at the windows of their own house. Other witnesses testified to the abuse of sisters and mothers (for had she confined her attacks to men alone, the prosecution would never have been undertaken), and that both in the public street and in their own houses.³⁶

The contrast between the respectable women she abused and Royall's own behavior was noted by another observer, though not without some sense of the farcical nature of the complaints:

Many of the respectable citizens who reside on Capitol Hill appear to have been prodigiously annoyed by this gifted dame, whom Petruchio would have found harder to tame than Kate the Curst and an universal terror of her, except among the boys, infects that whole region. . . . They testified sundry wicked sayings of their tormentor—which although they relaxed the features of the bench and bar, will perhaps be found insufficient to relax the sterner countenance of justice.

The prosecution was determined to justify the charges and to emphasize Royall's violation of accepted norms of female respectability. She directed her insults particularly at the female members of the congregation, and she did so not only on the public streets but in the privacy of these women's homes. The men of the congregation felt a duty to protect their women from this virago. Moreover, by failing to accept their norms of female respectability, Royall clearly threatened the social order.³⁷

Royall's own supporters did little to contradict the impression given by the witnesses for the prosecution. While Secretary Eaton testified that she had not been guilty of any misconduct in his presence, her other witnesses caused the court to dissolve into laughter as they described how she shouted at people from her window and had "slandered" one witness by calling him an "exemplary man," and another by describing him as handsome: "Why there's Mr. Waterston, she says in the same book that he and

³⁶ "Mrs. Royall's Case," *Richmond Whig*, July 31, 1829. The same account appears in "Mrs. Royall," *New England Galaxy*, July 31, 1829; Statement of Andrew Way, Foreman, File *US v. Royall*.

³⁷ "Mrs. Royall," *Daily Commercial Gazette and Daily Morning Advertiser* (Boston), July 28, 1829.

Gales are two of the handsomest men in Washington, I leave it to all the world if *that* is not a slander."³⁸

Throughout the trial, Royall seems to have conducted herself with dignity and good humor. She sat quietly next to her lawyer, taking notes, being as much amused by the proceedings as some of the other observers. Despite the fact that her reputation for belligerency and verbal abuse was being rehearsed before the court, none of the accounts of the trial suggest she behaved in anything other than a respectable and ladylike manner. Nonetheless, a number of ambiguities were presented by this show of respectability. Even if the complaints against Royall were exaggerated and probably did not merit prosecution, she had strayed beyond the boundaries of generally accepted female behavior. Newer constructions of femininity emerging at this time, particularly among the supporters of the evangelical revival, placed restrictions on middle-class women's involvement in the public sphere and emphasized female passivity and women's need for male protection. Anne Royall, though, had asserted her claim to the public sphere and (although she tried to deny it) to a voice in partisan political affairs. She had done so through her books and through her behavior in abusing members of the Engine House congregation; she also did so at her trial. She displayed no sense that her behavior was inappropriate for a respectable woman. Like other female politicians, her concern was with partisan politics not with her role as part of a community of women. The contrast was clear between the passivity of Royall's female "victims" who allowed their male protectors to speak for them and her own willingness to speak at her trial. Her attorney conducted most of the case without any interference from his client, but before the jury began deliberation Royall took the opportunity to address them.³⁹

Royall claimed that the prosecution had been brought by her enemies, and that the proceedings against her were a "blot on the country which ages will not wipe out." Those who had brought the charges belonged to a wider conspiracy to silence her. "These are the same men who have persecuted me with increasing rancor since I began to expose their impositions on the people. In one instance they

³⁸ "Mrs. Royall's Case," *Richmond Whig*, July 31, 1829.

³⁹ "Letter from Washington, No. LIX, Washington, July 11, 1829," *United States Gazette*, July 14, 1829; Untitled, *Daily National Intelligencer*, July 31, 1829. On notions of class and respectability, see Daniel A. Cohen, "The Respectability of Rebecca Reed: Genteel Womanhood and Sectarian Conflict in Antebellum America," *Journal of the Early Republic*, 16 (Fall 1996), 419-61; and John F. Kasson, *Rudeness and Civility: Manners in Nineteenth-Century Urban America* (New York, 1990). There are also parallels in Janet L. Coryell, *Neither Heroine nor Fool: Anna Ella Carroll of Maryland* (Kent, OH, 1990); and Coryell, "Superseding Gender," 83-112.

made an attempt on my life—I mean the same sect—and with pens steeped in gall, have hunted me from one end of the Union to the other.” She ended with a warning that if the jury allowed the prosecution to succeed, no one would be safe from its machinations. “Let them once get the wedge in, and the Judge on the bench, and the President in his seat, may tremble for their liberty. I hope, therefore, gentlemen, that you will meet these encroachments upon our civil and religious rights like freemen. Give this dangerous sect a precedent, and our liberty is gone.” The public—at least in the shape of newspaper editors—paid little attention to her warnings about the evangelical conspiracy. One editor merely remarked: “Your fancy must add the graces of emphasis, gesture and expression of countenance, the collection of which made up the rich but unavailing eloquence of the persecuted Cassandra of our age. . . . Alas for the fate of posterity—her appeal was unavailing.” Despite her eloquent plea for civil liberties, the jury returned a verdict of guilty. As Royall noted: “It was said they were all Bladensburg men!” The trial was not over yet, for Royall’s attorney immediately moved for an arrest of judgment and a new trial. She was released on a security of \$100.⁴⁰

Royall’s attorney argued that the Court had no discretion in the event of a defendant being found guilty of being a common scold, but to sentence her to the ducking stool. Further, he observed, a learned English judge had believed such a sentence would only harden the offender, and once the punishment had been served it conferred on the offender the privilege thereafter to scold with impunity. As several editors noted, “To Mrs. Royall one ducking would be a cheap consideration for this inestimable privilege.” According to Coxe the punishment was obsolete in England and if introduced in America would simply produce more criminals of this class. These arguments induced a flurry of excitement among the newspaper editors as they drew all the amusement they could out of the prospect of Royall being ducked. Some editors sought to diminish any threat she might have caused by ridiculing her and her behavior. One editor waxed lyrical at the prospect of a ducking: “We believe that common scolds may be punished by being ducked three times—but neither law nor custom prescribes the period of submersion; leaving that to be determined by circumstances. In Mrs.

⁴⁰ “From Our Correspondent, Washington, July 22,” *Commercial Advertiser*, July 25, 1829. The speech is also reported in “Mrs. Royall’s Case,” *Richmond Whig*, July 31, 1829. The battle of Bladensburg in 1814 had seen the rout of the American army in just half an hour by the British troops attacking Washington, much to the anger and humiliation of many in Washington. See Constance McLaughlin Green, *Washington: Village and Capital 1800-1878* (Princeton, 1962), 61; and Royall, *Sketches*, 171-74.

Royall's case, perhaps from two to four hours will be thought long enough for her to remain under water."⁴¹

Royall was not to be ducked, although she claimed a ducking stool had been constructed at the Navy Yard for this purpose. Coxe's argument that the ducking stool was obsolete in England and had never been in force in America proved to be conclusive. Deprived of the usual remedy, Judge Cranch concluded that "ducking is only a part of the punishment under the common law; and if it be not in force, there are other punishments yet in store, for the discretion of the Court." He overruled the motion in arrest of judgment and sentenced Royall to pay a fine of \$10 and give sureties for her good behavior to the sum of \$250 for the period of one year. She stood committed until these securities were given.⁴²

As soon as the judgment was delivered, one of those who had brought the original complaint against Royall, John Coyle, complained of a further outrage against him. An evening or two earlier, he alleged, Royall had called him a hypocritical old scoundrel. According to the prosecution attorney, this made it all the more important that Royall should be treated severely, but Royall claimed that John Coyle had insulted her first "by assuring her that her time was short." The complaints cancelled each other out, and no further action was taken. Royall was released, accompanied by an officer, to find sureties for her bail. One or two newspapers noted that the Court had been lenient in its sentence, and members of the public in the Court had been disappointed in the judgment—no doubt because this seemed an anti-climax after the long debate over ducking. There may well have been some disappointment that this entertaining spectacle was now over, for Royall had played to her audience to the last.⁴³

The only speculation left was who would pay the fine and stand security for Royall, since she clearly lacked the means herself. Some suggested Secretary Eaton, Major Lewis, or Dr. Jones, the postmaster

⁴¹ "Mrs. Royall," *Daily National Journal* (Washington, DC), Monday, July 20, 1829; "Mrs. Royall," *New England Galaxy*, July 31, 1829; "From the National Journal of July 29," *Commercial Advertiser*, July 31, 1829.

⁴² Untitled, *United States Gazette* (Philadelphia), Aug. 3, 1829; "Mrs. Royall," *Virginia Advocate* (Charlottesville), Aug. 7, 1829. For another summary of Judge Cranch's opinion, see "United States vs. Ann Royall," *Niles' Register* (Baltimore), Aug. 8, 1829; the argument in full "United States vs. Ann Royall," Cranch, *Reports of Cases Civil and Criminal*, 3:620-28; and Royall, *Mrs. Royall's Pennsylvania*, 2:Appendix, 21.

⁴³ "Letter from Washington, LXVI, July 31, 1829," *United States Gazette*, Aug. 3, 1829; "Mrs. Royall," *The National Gazette and Literary Register*, Aug. 3, 1829. The legal complaints are in a file marked "Circuit DC Criminal Apps. 129. May Term 1829, *US v. Royall*," File *US v. Royall*; "From Our Correspondent, Washington, July 31, 1829," *Commercial Advertiser*, Aug. 3, 1829; "Mrs. Royall," *National Intelligencer*, Aug. 1, 1829.

of Washington—members of the administration, thus linking Royall again with the Jackson party. One editor asserted that to pay Royall's fine was to derogate from the dignity of the high offices these gentlemen held, but another editor leapt to her defense, claiming it was only to the credit of such gentlemen "to have prevented the incarceration of an aged woman, the wife of a revolutionary officer *and a mason*, by entering as her bail on such an occasion." In fact, two newspapermen interfered on behalf of Royall, apparently for "the honor of the press, and gallantry of the profession."⁴⁴

Newspaper interest in Royall quickly disappeared once the trial was over, though one editor felt certain it would not silence her: "SOMETHING MYSTERIOUS.—We have not a word, public or private, from Washington touching Royall and her case. We hope no injunction has been laid upon the press—we will vouch for the lady that she has not been silenced." Royall soon made it clear she would not be silenced, in print at least, despite the injunction on her to keep the peace for a year. Within a month of the end of the trial she was already advertising her second volume of *Mrs. Royall's Pennsylvania* to include an appendix containing a sketch of "the famous Trial of Anne Royall." Nor were her subsequent books more temperate—if anything they were even more vituperative in their attacks on the "blackcoats."⁴⁵

The trial did little to moderate Royall's behavior. She denounced the prosecution as an outrage and a slur on the American justice system: "The odium of this infamous persecution, blackens the very face of humanity, and will remain an eternal blot on the American character." She concluded that her trial was part of a much wider conspiracy by the "blackcoats" to undermine the free republican government and to remove all in the way of their attempts to pass laws to impose Sabbath observance and to stop the mails on Sunday. In her account of the trial, she made clear the connection between her persecutors, the Engine House congregation, and the wider evangelical movement, in particular those like Ezra Stiles Ely, who sought to establish a "Christian Party in Politics." While her pride

⁴⁴ "From the National Gazette," *United States Telegraph*, Aug. 21, 1829; "From Our Correspondent, Washington, July 31, 1829," *Commercial Advertiser*, Aug. 3, 1829; "Mrs. Royall," *ibid.*, Aug. 17, 1829; Royall, *Mrs. Royall's Pennsylvania*, 2:Appendix, 17.

⁴⁵ "Something Mysterious," *United States Gazette*, Aug. 6, 1829; "Mrs. Royall's Pennsylvania," advertisement in *United States Telegraph*, Aug. 31, 1829, and on subsequent occasions. The account is also mentioned in Anne Royall to Hon. Dretsee Pearce, Sept. 14, 1829, Gratz Manuscript Collection (Historical Society of Pennsylvania, Philadelphia). Royall's account of the trial appears in the Appendix of Royall, *Mrs. Royall's Pennsylvania*, 2.

was hurt by the conviction, the lesson she drew from her prosecution was that the government and Congress should redouble their efforts to ensure that her persecutors should not achieve their purposes or gain influence in government.⁴⁶

After the conviction Royall continued to travel around the country and produced three further volumes of travel writings. In 1831, however, she decided to give up her travel writing and settled in Washington, DC, establishing herself as the editor of a newspaper named *Paul Pry*, which, like her books, she published for subscribers. In 1836, she replaced *Paul Pry* with another newspaper, *The Huntress*, which she published until just before her death in October 1854. Far from dropping the aggressive tone of the travel books, however, the newspapers were equally vituperative against those she considered the enemies of American liberties, and she continued to crusade for the causes she believed in.

Royall's criticism of the agents and purposes of the evangelical revival was part of a wider opposition movement. Female vulgarity was certainly not uncommon on the streets of America's cities, and as Richard John has shown, anti-sabbatarians were often extremely hostile to their opponents. This hostility took the form of direct action or of violently anti-clerical rhetoric in newspaper editorials and pamphlets. The rhetoric Anne Royall used mirrored closely that of many male anti-Presbyterians in their pamphlets and newspapers. Nor were the evangelicals above using abuse and violence against their opponents, as Royall's experiences in Vermont and on Capitol Hill would suggest. Had she been male, Royall's behavior would not have stood out as extraordinary.⁴⁷

As many historians have argued, however, women more typically supported the religious revivals. Women represented the greatest number of converts during revivals, and, as Royall herself observed, they constituted an overwhelming majority of churchgoers. Indeed, evangelical clergymen had come to perceive women as their natural allies in the battle against the growing secularization of society. Increasingly, these clergymen saw women as instrumental in bringing men back to God and frequently declared women's pious influence to be essential to the well-being of society. Thus, women were frequently the mainstays of the very missionary societies and Sunday School unions that Royall attacked so virulently. As these

⁴⁶ Royall, *Mrs. Royall's Pennsylvania*, 2:Appendix, 21; Royall, *Black Book*, 1:163-247; "From Our Correspondent, Washington, July 22," *Commercial Advertiser*, July 25, 1829; "Mrs. Royall's Case," *Richmond Whig*, July 31, 1829.

⁴⁷ John, "Taking Sabbatarianism Seriously," 517-67; Rohrer, "Sunday Mails and the Church-State Theme," 53-74; Wyatt-Brown, "Prelude to Abolitionism," 316-41; Hatch, *The Democratization of American Christianity*, 176-79; Bodo, *The Protestant Clergy*, 23-30.

evangelicals began to construct women's role in a much more rigid fashion, as pious, moral protectors of the home, Royall made a point of criticizing the forces that were shaping this role.⁴⁸

Anne Royall often commented that she did not believe it to be woman's place to be involved in politics, especially partisan politics, and before 1829 she was very coy about her political activism and her partisan allegiance. She professed to believe that women should not be knowledgeable about politics: "I think no woman has any business with politics; there is something so masculine, and opposed to female delicacy, in meddling with the affairs of state, that I view it with sovereign abhorrence. Nature has designed woman another sphere." Yet, her protestations notwithstanding, Royall's strident anti-sabbatarianism and her vocal criticism of the evangelical and anti-masonic movements, and her demands that politicians should protect American liberties from the machinations of these groups, marked her as a politically active and partisan woman.⁴⁹ Women in the United States were still excluded from electoral participation and political office holding because of their sex, but this did not mean they did not act politically during the nineteenth century. Recent scholarship has suggested that women were involved in party politics, especially during the 1830s and 1840s when the second party system emerged and crystallized. The Whig party, in particular, encouraged women to become involved in party activities and sought to address their concerns. Its support for the evangelical movement and the "benevolent empire" made it attractive to many women, and they wrote pamphlets, conducted meetings, and even made speeches for the party. Indeed women became an integral part of Whig party politics, lending their moral authority to the Whig cause and raising Whig sons.⁵⁰

⁴⁸ Mary P. Ryan, *The Cradle of the Middle Class: The Family in Oneida County, New York, 1780-1865* (New York, 1981), 60-104; Nancy F. Cott, *The Bonds of Womanhood: "Woman's Sphere" in New England, 1780-1835* (New Haven, 1977), 126-59; Ruth H. Bloch, "American Feminine Ideals in Transition: The Rise of the Moral Mother, 1785-1815," *Feminist Studies*, 4 (June 1978), 101-26; Welter, "The Cult of True Womanhood, 1820-1860," 150-74.

⁴⁹ Royall, *Black Book*, 2:4-5.

⁵⁰ Lori D. Ginzberg, *Women and the Work of Benevolence: Morality, Politics, and Class in the 19th-Century United States* (New Haven, 1990); Paula Baker, "The Domestication of Politics: Women and American Political Society, 1780-1920," *American Historical Review*, 89 (June 1984), 620-47; Mark Voss-Hubbard, "The 'Third Party Tradition,' Reconsidered: Third Parties and American Public Life, 1820-1900," *Journal of American History*, 86 (June 1999), 136-37; Ronald Formisano, "The 'Party Period' Revisited," *ibid.*, 86 (June 1999), 112-13; Elizabeth R. Varon, *We Mean to be Counted: White Women and Politics in Antebellum Virginia* (Chapel Hill, 1998); Elizabeth Varon, "Tippecanoe and the Ladies, Too: White Women and Party Politics in Antebellum Virginia," *Journal of American History*, 82 (Sept. 1995), 494-521; Ronald J. Zboray and Mary Saracino Zboray, "Whig Women, Politics, and Culture in

The Whigs were not, though, the first political party to cultivate women's partisanship. The Federalists and Adamsites had previously encouraged women's contribution as republican mothers and had welcomed their involvement in political rallies. During the election of 1828, John Quincy Adams's supporters had also opened up the possibility of women's participation in politics by suggesting that the private and public spheres were intimately linked and that the morality of the private sphere should govern the public. The Jeffersonian tradition by contrast was much less willing to allow women to participate in party activities and influence party policies, and during the election of 1828 the Jacksonians discouraged women who might have rallied to Jackson's cause. Jacksonian women, however, were not easily prevented from trying to assert their authority in political life, as Royall's involvement in the causes that defined Jacksonian Democracy and her clearly partisan writing reveal. Moreover, even after the election, Jacksonian women tried to assert their authority in political life, using many of the arguments about female moral superiority that were later to define Whig womanhood. The role of the woman politico has only recently been studied, but Royall's career certainly fits this pattern. Like other women politicians, she asserted her right to express partisan political opinions, but she did not demand woman's suffrage nor political rights for women. Rather she assumed an active role in partisan politics without reference to her gender. Such a role was unusual for a woman in the early nineteenth century and could lead to public criticism, but it was not unique.⁵¹

Royall's prosecution as a common scold, shortly after Andrew Jackson's inauguration as president, was associated in the minds of many commentators with her partisan stance during the 1828 election. Although a number of newspaper editors saw her outspokenness as unsexing, her other more friendly editors affirmed her femininity by portraying her as the dignified widow of a revolutionary officer and Mason. Both viewpoints reveal a certain ambiguity about Royall's status as a woman who espoused a party line in public. Royall was not claiming a right to partisan involve-

the Campaign of 1840: Three Perspectives from Massachusetts," *Journal of the Early Republic*, 17 (Summer 1997), 277-315.

⁵¹ Varon, "Tippecanoe and the Ladies, Too," 518; Basch, "Marriage, Morals, and Politics in the Election of 1828," 914-18; Rosemarie Zagarri, "Gender and the First Party System," in *Federalists Reconsidered*, Doron Ben-Atar and Barbara B. Oberg, eds. (Charlottesville, 1998), 118-34; Kirsten E. Wood, "'One Woman so Dangerous to Public Morals': Gender and Power in the Eaton Affair," *Journal of the Early Republic*, 17 (Summer 1997), 272-75; Catherine Allgor, *Parlor Politics: In Which the Ladies of Washington Help Build a City and a Government* (Charlottesville, 2000), 190-238; and Coryell, "Superseding Gender," 84-112.

ment because of any supposed moral superiority, as other partisan women did, and even her supporters seemed to have had some difficulty in reconciling their own assumptions about female respectability with Royall's behavior. Indeed, her own denial of her partisanship suggests her concerns to remain within the bounds of respectable womanhood. Royall's enemies chose the charge of common scold carefully, as one that would effectively silence her. It would, they hoped, humiliate her, label her as an unruly woman, and thus diminish her in the eyes of the public. Royall's trial as a common scold complicates notions of middle-class femininity during the Jacksonian period and raises questions about the rigidity of gender constructions in the early nineteenth century. She had supporters among her readership both male and female and among the newspaper editors who did not question her right to a public voice. But increasingly rigid ideas about femininity among the agents of the evangelical revival meant that when, in their opinion, Royall's actions became unacceptable, she was vulnerable to the charge of being a common scold.⁵²

⁵² Untitled, *United States Gazette*, July 24, 1829. On respectability, see Daniel A. Cohen, "The Respectability of Rebecca Reed," 419-61.